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JUL 25 2002

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

July 25, 2002

Marlene H. Dortch, Esq.
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554
ATTN: Allocations Branch

Re: Supplement to Request to Petition for Rulemaking
Board of Trustees, The California State University for San Diego State University
Petition for Rulemaking Filed July 17, 2000; RM # Not Yet Assigned
FRN: 0002-9683-60

Dear Ms. Dortch:

On behalf of the Board of Trustees, The California State University for San Diego State University ("the University"), we supplement the Petition for Rulemaking filed on July 17, 2000. This supplement is filed at the request of FCC staff.

The Petition for Rulemaking requested amendment of Section 73.606 of the FCC Rules to substitute NTSC Channel *43 in lieu of NTSC Channel *26 at Brawley, California. At the suggestion of FCC staff, the University supplements its Petition with the attached Engineering Statement demonstrating interference protection to Station KBOP-LP based on OET-69 results. To the extent necessary, the University requests a waiver of the contour protection standards based on OET-69.

Should any questions arise concerning this matter, kindly contact this office.

Very truly yours,

Margaret L. Miller

Enclosures

cc (w/encl.): Nazifa Naim (FCC) (via fax)

No. of Copies rec'd 0+4
List ABCDE

Public Broadcasting 619-594-1515
5200 Campanile Drive *FAX: 619-265-6417*
San Diego State University
San Diego, CA 92182-5400

Marlene H. Dortch, Esq.
Secretary
Federal Communications Commission

KPBS

Re: Supplement to Petition for Rulemaking
Petition Filed July 17, 2000
To Substitute TV Channel *43 in Lieu of TV Channel *26, Brawley, CA
RM # Not Yet Assigned

Dear Ms. Dortch:

The Board of Trustees, The California State University for San Diego State University hereby supplements the above-referenced Petition to include the enclosed material.

Respectfully submitted,

BOARD OF TRUSTEES, THE
CALIFORNIA STATE UNIVERSITY
FOR SAN DIEGO STATE UNIVERSITY

By: _____

Title: General Manager

Date: 7/23/02

DCLIB01:1368959-1|Supplement to Brawley TV (KBOP-LP waiver)

Engineering Statement
prepared for
The Board of Trustees
The California State University for San Diego State University
Brawley, California
Ch. 43 5000 kW 295 m

This engineering statement has been prepared on behalf of *The Board of Trustees, The California State University for San Diego State University ("SDSU")*, an applicant for vacant NTSC (analog) television Channel 26, allotted to Brawley, California. *SDSU* has previously filed a *Petition for Rulemaking* to substitute NTSC Channel 43 in lieu of NTSC Channel 26 to remove a conflict with a digital television (DTV) station. The instant statement provides supplemental material concerning a conflicting application subsequently filed by a Low Power Television station eligible for Class A status. As shown herein, although contour overlap would exist, no actual interference is predicted to occur.

Discussion

The pending *Petition for Rulemaking* (file number BPRM-20000717ACQ) was filed by *SDSU* on July 17, 2000. An application filed subsequent to *SDSU's* petition to modify Class A eligible station KBOP-LP (Ch-25, San Diego, CA) is overlapped by the Brawley Channel 43 proposal. Specifically, an application is pending (BPTTL-20000728AEP) to change KBOP-LP to Channel 43 and employ a different transmitter site. The 74 dBμ protected contour of the KBOP-LP application facility is encompassed by the 46 dBμ F(50,10) interfering contour of *SDSU's* proposed Channel 43 allotment. This overlap would be prohibited under §73.613. However, no prohibited overlap from KBOP-LP to the 64 dBμ protected contour of *SDSU's* proposed Channel 43 allotment would occur.

As depicted in the attached terrain profile of **Figure 1**, there is substantial terrain blockage between the proposed KBOP-LP Channel 43 transmitter site and the allotment point specified by *SDSU* for Channel 43. This terrain blockage sharply minimizes the possibility of interference. Further, a study using the terrain dependent Longley-Rice point-to-point propagation model of OET

Bulletin 69[1] showed that no interference is expected to occur to KBOP-LP from the proposed Channel 43 facility. The attached **Table 1** provides a summary of the OET Bulletin 69 results.

Thus, on the basis of an OET Bulletin 69 analysis, no interference is expected to occur to KBOP-LP's proposed Channel 43 operation. If a waiver of the Commission's contour overlap rules is required (§73.613), then one is respectfully requested on behalf of the applicant for the reasons stated above.

Summary

Although there is prohibited contour overlap caused to the proposed KBOP-LP Channel 43 facility, susbstantial terrain blockage exists and no interference is predicted, according to an OET Bulletin 69 analysis. Section 73.613(j) of the Commision's Rules indicates that a showing of terrain blockage and OET Bulletin 69 analysis may be used to show that interference is not likely.

Certification

The undersigned hereby certifies that the foregoing statement was prepared by him or under his direction, and that it is true and correct to the best of his knowledge and belief. Mr. Davis is a principal in the firm of *Cavell, Mertz & Davis, Inc.*, is a Registered Professional Engineer in Virginia, holds a Bachelor of Science degree from Old Dominion University in Electrical Engineering Technology, and has submitted numerous engineering exhibits to various local

[1]The implementation of OET Bulletin 69 for this study followed the guidelines of OET-69 as specified therein. A cell size of 1 km was used. Comparisons of various results of this computer program, as executed on a Sun processor, show excellent correlation to the Commission's implementation of OET-69.

governmental authorities and the Federal Communications Commission. His qualifications are a matter of record with that entity.

Joseph M. Davis, P.E.
July 22, 2002

Cavell, Mertz & Davis, Inc.
7839 Ashton Avenue
Manassas, VA 22030
(703) 392-9090

List of Attachments

Figure 1 Terrain Profile

Table 1 Class A Station Interference Analysis Results Summary

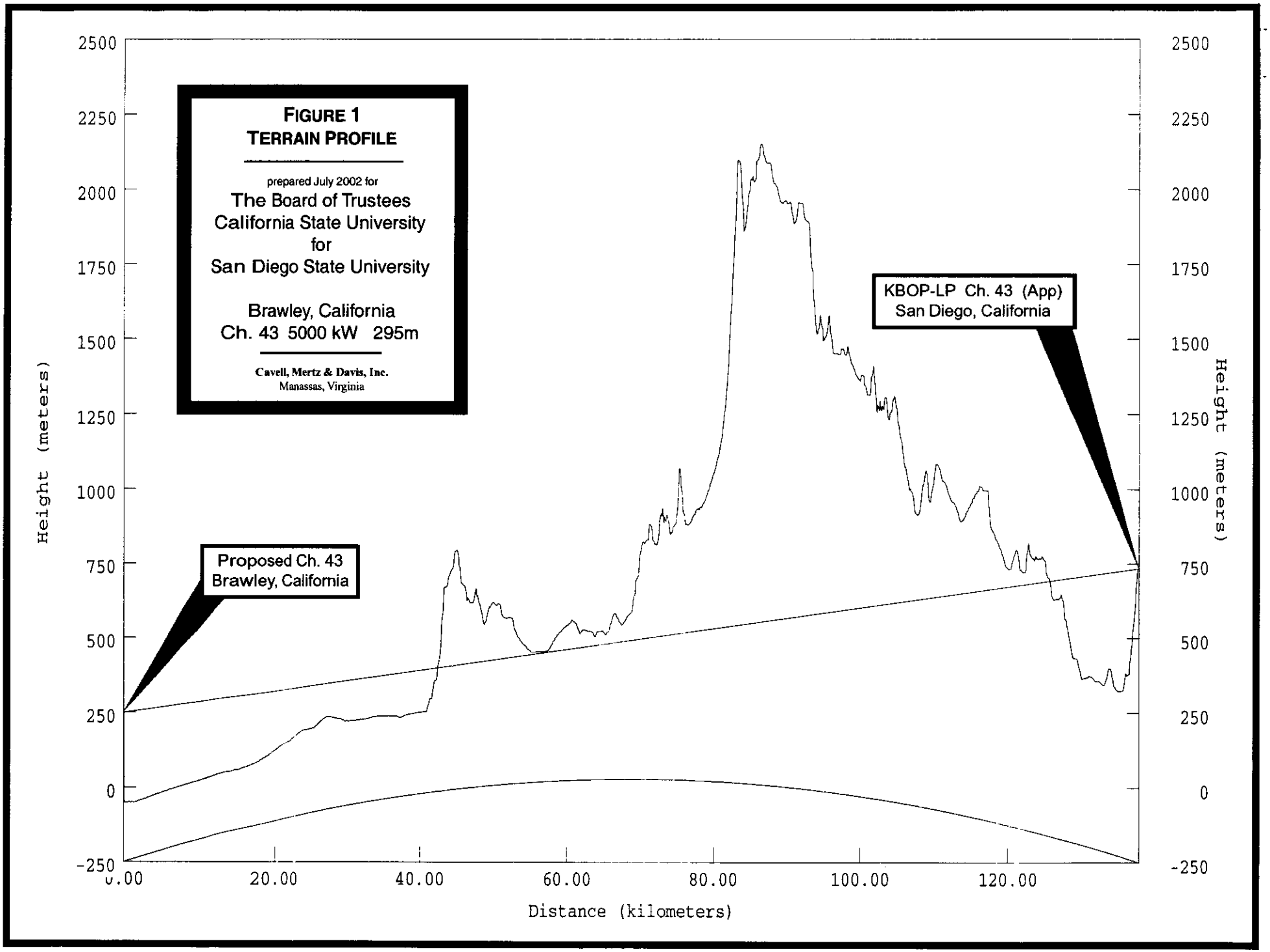
FIGURE 1
TERRAIN PROFILE
prepared July 2002 for
The Board of Trustees
California State University
for
San Diego State University
Brawley, California
Ch. 43 5000 kW 295m
Cavell, Mertz & Davis, Inc.
Manassas, Virginia
KBOP-LP Ch. 43 (App)
San Diego, California
Proposed Ch. 43
Brawley, California
Height (meters)
Distance (kilometers)
2500
2250
2000
1750
1500
1250
1000
750
500
250
0
-250
0.00
20.00
40.00
60.00
80.00
100.00
120.00

Table 1

CLASS A STATION INTERFERENCE ANALYSIS RESULTS SUMMARY

prepared for

The Board of Trustees

The California State University for San Diego State University

Brawley, California

Ch. 43 5000 kW 295 m

Stations Considered	City, State Channel	Distance (km)	Baseline Population (1)	Service Population (2)	---- *Unique Interference from proposal* ---- Population (3)	Percentage (4)
KBOP-LP (App)	San Diego, CA 43	137.8	961,481	701,745	0	0.00

OET-69 Class A station analysis notes:

(1) Population within 74 dBu service contour, adjusted for dipole factor

(2) Service population after reduction from terrain and interference losses, before consideration of proposal

(3) Net change in population receiving interference resulting from proposal. A number in parenthesis indicates a *reduction* in interference.

(4) Proposal's impact in terms of percentage, equals (3)/(1) times 100 percent: not to exceed zero when rounded to the nearest whole percent